

ORIGINAL



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**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION  
OF SUNZIA TRANSMISSION LLC, IN  
CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA  
REVISED STATUTES 40-360, ET SEQ.,  
FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY  
AUTHORIZING THE SUNZIA  
SOUTHWEST TRANSMISSION  
PROJECT, WHICH INCLUDES THE  
CONSTRUCTION OF TWO NEW 500 KV  
TRANSMISSION LINES AND  
ASSOCIATED FACILITIES  
ORIGINATING AT A NEW SUBSTATION  
(SUNZIA EAST) IN LINCOLN COUNTY,  
NEW MEXICO, AND TERMINATING AT  
THE PINAL CENTRAL SUBSTATION IN  
PINAL COUNTY, ARIZONA. THE  
ARIZONA PORTION OF THE PROJECT  
IS LOCATED WITHIN GRAHAM,  
GREENLEE, COCHISE, PINAL, AND  
PIMA COUNTIES.

DOCKET NO. L-00000YY-15-0318-  
00171

Case No. 171

**NOTICE OF LODGING SUMMARY  
TESTIMONY OF JACK  
CHRISTOPHER FLETCHER ON  
BEHALF OF REDINGTON  
NATURAL RESOURCE  
CONSERVATION DISTRICT**

Arizona Corporation Commission

**DOCKETED**

OCT 13 2015

DOCKETED BY	Btu
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Pursuant to R14-3-211 and paragraphs 16 and 17 of the September 11,  
2015 Procedural Order, Redington Natural Resource Conservation District, by  
and through their counsel, Lat J. Celmins of Margrave Celmins, P.C. hereby  
submits the summary testimony of Jack Christopher Fletcher on behalf of  
Redington Natural Resource Conservation District in this proceeding.

DOCKET CONTROL  
AZ CORP COMMISSION

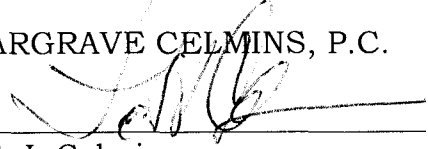
2015 OCT 13 P 4: 56

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Docket No. L-00000YY-15-0318-00171

1 Respectfully submitted this 13<sup>th</sup> day of October, 2015.

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10 **CERTIFICATION OF MAILING**

11 Pursuant to A.A.C. R14-3-204, the original summary testimony of Jack  
12 Christopher Fletcher was filed on behalf of Redington Natural Resource  
13 Conservation District this 13 day of October with:

14 Utilities Division-Docket Control  
15 **ARIZONA CORPORATION COMMISSION**  
16 1200 West Washington Street  
17 Phoenix, Arizona 85007

18 **Copy** of the foregoing mailed this 13 day of October, 2015 to:

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27 Court Reporter

28 Kathy Allison

**REDINGTON NRCD TESTIMONY  
IN OPPOSITION TO PROPOSED ROUTING OF  
SUNZIA TRANSMISSION LINE THROUGH ITS DISTRICT**

**I. INTRODUCTION GENERAL EDUCATION AND WORK BACKGROUND**

1. **State full name and position with Redington NRCD.**  
Jack Christopher Fletcher, Supervisor, Redington Natural Resource Conservation District
2. **Attach personal biography showing education and work experience.**  
"Attached"
- EXHIBIT RED 01**
3. **General knowledge of SunZia routing through the District.**  
Supervisor Redington NRCD and valley resident.
4. **Are you authorized to represent Redington NRCD in this proceeding in opposition to the CES application relating to the routing of the SunZia Transmission Line through your District?**

Yes

**II. DISTRICTS, CONSTITUTIONAL AND STATUTORY RESPONSIBILITIES**

1. Districts established by Arizona Constitution Article XIII Section 7.  
**Irrigation and other districts as political subdivisions**  
Irrigation, power, electrical, agricultural improvement, drainage, and flood control districts, and tax levying public improvement districts, now or hereafter organized pursuant to law, shall be political subdivisions of the state, and vested with all the rights, privileges and benefits, and entitled to the immunities and exemptions granted municipalities and political subdivisions under this constitution or any law of the state or of the United States; but all such districts shall be exempt from the provisions of sections 7 and 8 of article IX of this constitution.  
**EXHIBIT RED 03**
2. **Statutory responsibilities regarding conservation of lands, soils, water, wild life and habitat areas and dealing with State agencies regarding development, coordination relating to resource conservation programs and proper utilization of lands.**

**A.R.S. §37-1001. Declaration of policy**

It is declared the policy of the legislature to provide for the restoration and conservation of lands and soil resources of the state, the preservation of water rights and the control and prevention of soil erosion, and thereby to conserve natural resources, conserve wildlife, protect the tax base, protect public lands and protect and restore this state's rivers and streams and associated riparian habitats, including fish and wildlife resources that are dependent on those habitats, and in such manner to protect and promote the public health, safety and general welfare of the people.

**A.R.S. §37-1053. Powers and duties of supervisors**

A. The supervisors shall:

1. Provide for the keeping of a record of all proceedings, resolutions, regulations and orders issued or adopted.
2. Furnish to the commissioner copies of such ordinances, rules, regulations, orders, contracts, forms or other documents adopted or employed, audits of the district or education center and such information concerning their activities as the commissioner requests.

B. The supervisors may appoint additional advisory members to the district governing body and delegate to the chairman or any member, or to any agent or employee, such powers and duties as they deem proper.

C. District supervisors shall require and provide for the execution of a corporate surety bond in suitable penal sum for, and to cover, any person entrusted with the care or disposition of district funds or property.

D. The compensation of the district supervisors shall be determined by the supervisors meeting as the governing body of the district but shall not exceed the compensation prescribed by section 38611, plus actual and necessary expenses of attending district meetings, and a per diem subsistence allowance and actual and necessary expenses while engaged in official business by order of the supervisors.

**A.R.S. §37-1054 Powers of district**

A. This state recognizes the special expertise of the districts in the fields of land, soil, water and natural resources management within the boundaries of the district. A district is empowered to:

1. Conduct surveys, investigations and research relating to the character of the soil, soil erosion prevention within a farm or ranch, methods of cultivation, farm and range practices, seeding, eradication of noxious growths and any other measures that will aid farm and range operations, disseminate information pertaining thereto, and carry on research programs with or without the cooperation of this state or its agencies or the United States or its agencies.
2. Conduct demonstration projects within the district on lands owned or controlled by the state or any of its agencies with the consent and cooperation of the agency having jurisdiction of the land, and on any other lands within the district on obtaining the consent of the landowner or the necessary rights or interests in the land, in order to demonstrate

by example the means, methods and measures by which water, soil and soil resources may be conserved and soil erosion and soil washing may be prevented and controlled.

3. Cooperate and enter into agreements with a landowner, an operator or any agency or subdivision of the state or federal government to carry on programs of watershed improvement, soil erosion prevention, methods of cultivation, cropping practices, land leveling and improvement on agricultural lands, and programs limited to methods of proper range use, reseeding and the eradication of noxious growth on grazing lands, all within the limits of an individual farm or ranch and subject to the conditions the supervisors deem necessary.

4. Acquire, by purchase, exchange, lease or otherwise, any property, real or personal, or rights or interest in any property, maintain, administer and improve any properties acquired, receive income from any property or right or interest in property and expend it in carrying out the purposes of this chapter, and sell, lease or otherwise dispose of any property or interest in property in furtherance of the purposes of this chapter.

5. Make available, on the terms it prescribes to landowners within the district, agricultural and engineering machinery and equipment, fertilizer, seed and other material or equipment as will assist the landowners to carry on operations on their lands for the purposes and programs authorized by this chapter.

6. Develop, publish and bring to the attention of landowners within the district comprehensive plans for the conservation of soil and water resources within the district that specify in such detail as may be feasible the acts, procedures, performances and avoidances necessary or desirable for the effectuation of the plans.

7. Apply for, receive and spend monies from the Arizona water protection fund pursuant to title 45, chapter 12 to be used in individual districts or in cooperation with other districts, persons, cities, towns, counties, special districts and Indian communities for projects consistent with title 45, chapter 12.

8. Employ agents, engineers, attorneys or other employees not readily available from existing state agencies.

9. Sue and be sued in the name of the district, have a seal, which shall be judicially noticed, have perpetual succession unless terminated as provided in this chapter, may make and execute contracts and other instruments necessary or convenient to the exercise of its powers and make, amend and repeal rules not inconsistent with this chapter to carry into effect its purposes and powers.

10. Accept donations, gifts and contributions in money, services, materials or otherwise, and use or expend them in carrying on its operations.

11. Organize and establish an education center.

B. No provision of law with respect to the acquisition, operation or disposition of property by other public bodies shall be applicable to a district organized under this chapter unless specifically stated therein.

C. After the formation of any district under this chapter, all participation thereunder shall be voluntary, notwithstanding any provision of this chapter to the contrary.

D. A district may send to the Arizona water protection fund commission established by title 45, chapter 12 written recommendations for geographic areas to be emphasized, issues of concern and measures to implement title 45, chapter 12. A district that sends written recommendations to the commission shall request information from at least the following:

1. The director of the department of water resources and the state land commissioner.
2. The federal and state fish, wildlife, recreation and natural resource agencies.
3. County and municipal entities.
4. The public.

E. The district shall develop procedures to ensure adequate participation in the public involvement process prescribed by subsection D of this section.

**A.R.S. §37-1056 Cooperation between districts**

The supervisors of any two or more districts organized under the provisions of this chapter may cooperate in the exercise of any power conferred in this chapter.

**A.R.S. §37-1057 Cooperation by state agencies**

Agencies of this state which have jurisdiction over or are charged with the administration of any stateowned lands, and of any county or other governmental subdivision of the state which have jurisdiction over, or are charged with the administration of, any county owned or other publicly owned lands lying within the boundaries of any natural resource conservation district, may cooperate fully with the supervisors of such districts in the effectuation of programs and operations undertaken by the supervisors under the provisions of this chapter. The supervisors of any district organized under the provisions of this chapter may cooperate with any municipality within the boundaries of the district on matters relating to soil conservation or land use planning.

**EXHIBIT RED 04**

**III. SPECIFICS RELATING TO THE DISTRICT**

1. **District boundaries and geographic area and number of acres within its jurisdictional boundaries.**



The Redington NRCD encompasses approximately 290,381 acres in the San Pedro River valley of southeastern Arizona. It includes approximately 31 miles of the San Pedro River, which runs north-northwest through the middle of the district and is the area's most defining geographical, ecological and social-historical feature. The Redington NRCD boundaries overlap portions of four counties: Cochise, Pima, Pinal, and Graham. It is accessible on unimproved dirt roads from San Manuel, Willcox, Benson, and Tucson. There are no incorporated towns but one school district designated as a transportation district for the residents within the general area of Redington. There are a variety of cooperators (members of the NRCD) within the District, and a diverse spectrum of land use. The district's southern boundary lies just north (downstream) of the Narrows, a bedrock intrusion that divides the upper and lower San Pedro basins. The western boundary runs along the crest of the Rincon and Santa Catalina mountains, which separate the San Pedro and Santa Cruz watersheds. The northern boundary lies along Alder Wash and Kielberg Canyon. The eastern district boundary is an irregular north-south line through Range 20 East of the Gila-Salt River Meridian. It begins just northeast of the Narrows and ends on the southwestern flank of the Galiuro Mountains.

#### **EXHIBIT RED 05**

**2. Nature and composition of lands and ownership within the District, combination of State and Federal lands, portions of Tonto and Coronado National Forest, BLM lands, Arizona trust lands and private lands.**

Development is very limited. It is estimated that there are approximately 175 year round residents, less than was found in the area early in the 20th century, and probably less than occurred during some prehistoric periods. Crop agriculture and livestock production have been the dominant land uses since the arrival of Spanish missionaries in the region over 300 years ago. State lands are leased to private ranchers for

grazing, as are most national forest lands. Land ownership is a patchwork of public agencies, private individuals, and private non-profit groups. Private lands are a minority of the area, concentrated along the river and around other naturally occurring water sources. The largest single land owner in the area is the Arizona State Land Department, holding lands in trust for Arizona public schools and various other trustees. Hunting is a long-standing land use throughout the area, now limited to fall and winter seasons; other recreational uses are generally concentrated on USFS and NPS lands at higher elevations. In the last twenty-five years, preservation and residential land uses have increased, but remain secondary to agriculture.

Land Ownership:

Federal	77,065 acres
State Trust	168,167 acres
Private	45,149 acres

**EXHIBIT RED 05**

**IV. DISTRICTS' MISSION STATEMENT**

**1. Discuss Districts' Mission statement in detail.**

The mission of the district is contained within ARS §37-1001.

**2. Structure of the District and representation of its constituents.**

Development is very limited. It is estimated that there are approximately 175 year round residents, less than was found in the area early in the 20th century, and probably less than occurred during some prehistoric periods. Crop agriculture and livestock production have been the dominant land uses since the arrival of Spanish missionaries in the region over 300 years ago. State lands are leased to private ranchers for grazing, as are most national forest lands. Land ownership is a patchwork of public agencies, private individuals, and private non-profit groups. Private lands are a minority of the area, concentrated along the river and around other naturally occurring water sources. The largest single land owner in the area is the Arizona State Land Department,

holding lands in trust for Arizona public schools and various other trustees. Hunting is a long-standing land use throughout the area, now limited to fall and winter seasons; other recreational uses are generally concentrated on USFS and NPS lands at higher elevations. In the last twenty-five years, preservation and residential land uses have increased, but remain secondary to agriculture.

**3. Responsibilities of the District to its constituents and cooperators.**

The District Board of Supervisors is responsible for informing the general public of available assistance and progress being made on local issues of public concern. The district develops an annual plan of work which sets forth the high priority issues and conservation projects/educational workshops in the coming year. Board members should make themselves available to district landowners to address concerns and questions. The District leads the effort locally to prioritize natural resource concerns for federal conservation programs through the local work group process and strategic planning. The District provides opportunities for further education to landowners about natural resource conservation and to school age children through classroom instruction and field trips. The District can apply for grants for the benefit of all landowners to accomplish on the ground conservation work and/or research. The District provides technical assistance to landowners for the completion of Coordinated Resource Management Plans and general conservation projects.

**EXHIBIT RED 5, 7,8,9,10,11**

**4. Your role as a Supervisor.**

To represent the cooperators/constituents within the boundaries of the district related to our responsibilities in statute and agreements with local, state, and federal agencies and governments. Comply with Arizona's Open Meeting Law, be fiscally responsible with annual budgets and report to the Legislature.

**EXHIBIT RED 5, 7,8,9,10,11**

**5. Examples of the type of meetings, actions and activities by the Districts.**

The Redington NRCD meets every other month on the second Tuesday. The District Board of Supervisors is responsible for informing the general public of available assistance and progress being made on local issues of public concern. The district develops an annual plan of work which sets forth the high priority issues and conservation projects/educational workshops in the coming year. Board members should make themselves available to district landowners to address concerns and questions. The District leads the effort locally to prioritize natural resource concerns for federal conservation programs through the local work group process and strategic planning. The District is responsible to coordinate land use actions and planning with federal, state, and local government planners for our area. The District provides opportunities for further education to landowners about natural resource conservation and to school age children through classroom instruction and field trips. The District can apply for grants for the benefit of all landowners to accomplish on the ground conservation work and/or research.

**EXHIBIT RED 4, 5,7,8,9,10,11,13**

**V. LONG RANGE PLAN – DETAILED DISCUSSION**

**1. Goals**

The goal of the Redington NRCD is to provide leadership in promoting the conservation of all natural resources within the district through engagement with cooperators, other local governments and federal agencies.

**3. Objectives**

Prioritize Natural Resource Concerns;  
Coordinated planning engagement with federal and state agencies;  
Provide educational opportunities to our cooperators;  
Apply for grants which help us to achieve our goal;

Respond to major land use actions and/or designations.

**4. Districts' long range plan – discuss in detail**

The district's long range plan consists of goals and objectives for a six year period based upon our responsibilities in statute, cooperator concerns, education opportunities, and the prioritization of our natural resource concerns. The plan has the opportunity to be amended each year during the planning process. The current plan addresses: soil erosion and sedimentation; upland vegetation; water availability and quantity; water quality; noxious and invasive plants; fish and wildlife; conservation planning and education.

**7. Actions taken by the District in furtherance of the long range plan.**

The district has prioritized its natural resource concerns for the Environmental Quality Incentives Program authorized through the Agricultural Act of 2014. This will enable cooperators to receive funding through this program to address natural resource concerns on the ground. The District has engaged in several local efforts to address long term conservation in the valley such as the Lower San Pedro River Conservation Initiative Planning Team. The district has sponsored multiple educational workshops for adults and children addressing these concerns. The district engaged in coordinated planning for several years with the Bureau of Land Management pertaining to the Sunzia EIS. The district has assisted landowners in completing Coordinated Resource Management Plans.

**8. Specific areas of concern and responsibility.**

Our specific areas of concern are:

- Sediment pollution of streams and erosion of rangeland is a major problem in the district.

- The 30-40% decrease of grassland and grassland/shrub vegetation throughout the district.
- Water availability and quality
- The control of noxious and invasive plants
- Continued Education

#### **EXHIBIT RED 5**

### **9. What is the district policy for large scale developments or utility corridors?**

The district policy currently states:

It is the policy of the Redington Natural Resource Conservation District to oppose the construction of any new major energy, transportation, or communication corridors through the Redington NRCD. When corridor placement is unavoidable and to minimize impacts of such actions, all future construction of such corridors should be along existing corridors of similar capabilities that would only require an upgrade from what currently exists. Where no corridor disturbance currently exists the conservation district will advise project managers of necessary mitigation measures to be taken in order to minimize the impact to ecological resources and rapidly implement post-construction restoration and monitoring.

#### **EXHIBIT RED 6**

## **VI. RELATIONSHIP WITH FEDERAL AND STATE AGENCIES**

### **1. Agreements and memoranda of understanding between district and federal and state agencies.**

The district currently holds agreements with the USDA Natural Resource Conservation Service, the State CRM Planning Group, and the State Land Dept. some through its membership in the Association of Conservation Districts.

Conservation Districts are legally authorized to become cooperating agencies or coordinate local planning with federal agencies through the Federal Land Policy Management Act and NEPA.

**EXHIBIT RED 7, 8, 10, and 11**

**VIII. DETAILED DISCUSSION OF SEGMENTS OF TRANSMISSION LINE AND  
THE DISTRICTS' INTEREST SEGMENT 3 SAN PEDRO RIVER CROSSING  
THROUGH THE SAN PEDRO RIVER VALLEY NEAR ORACLE**

1. **Map of Transmission Line Segment 3 San Pedro River Crossing  
Through the San Pedro River Valley Near Oracle  
EXHIBIT RED 12**
2. **Discussion of environmental impacts and natural resource issues with  
detailed identification of the concerns.**

Soil Erosion: New construction of major utility corridors would further aggravate substantial erosion issues already present within the district due to the existence of smaller utility lines constructed along severely erodible soils and cross-cutting natural water movement from the uplands. The area is exceptionally dry, making reclamation of disturbed lands very difficult.

Erosion was a topic of considerable concern in the Lower San Pedro River Watershed Assessment (LSPRWA). Soil conservation is a basic objective for all natural resource management. Soil erosion on uplands can reduce soil depth and therefore reduce soil moisture holding capacity and rooting depth. Soil erosion can result in the loss of nutrients from the watershed especially since these nutrients are most abundant in the surface soil. In addition, soil erosion contributes to sediment accumulation and lower water quality in drainages and reservoirs. Soil compaction can also reduce infiltration rates and soil moisture holding capacity, thus increasing runoff and erosion hazard. The LSP Assessment indicated that roads associated with recreation and utility

construction/maintenance were the major source of erosion in the district and the number one cause of human-related gully erosion.

The Natural Resource Conservation Service describes the erosion hazard for the Stagecoach, Sonoran and Pinaleno soils, which make up 85% of the area, as severe which indicates that significant erosion is expected. The numerical rating is .95 where 1.00 has the greatest negative impact. Excessive erosion from roads can overwhelm a river's capacity to process sediment. Cross-country road construction increases unauthorized access to off-road vehicles. The clearing of vegetation and associated soil compaction from these roads counter the re-vegetation and rangeland improvement efforts currently taking place in the district.

Habitat Fragmentation: New construction of major utility corridors will result in habitat fragmentation creating a negative edge effect. This largely un-fragmented watershed includes the Chihuahuan Desert, Sonoran Desert, Southern Arizona Semi-desert Grassland, and Mexican Oak-Pine Woodland and Oak Savannah, all of which come together in the Lower San Pedro River valley. This results in a high diversity of species present in the watershed. Utility lines cause erosion, encourage the introduction of noxious and invasive plant species, increase off highway vehicle use, and increase gully erosion. All of these effects have a negative impact on wildlife habitat and water quality.

At the Winkelman NRCD/BLM/Sunzia Coordination meeting of April 13, 2010 the following statements were made by Linwood Smith, biologist for EPG, when asked if routing the transmission line through the San Pedro River Valley is a common sense alternative:

“In my humble opinion from a biological resources stand point coming up the San Pedro Valley was not a good idea. I did



not care for that alternative at all. I am not even sure where that alternative came from except that there were some existing infrastructural features that were being followed and that were looked at as being opportunities. I did not support coming up the San Pedro River valley from the get go because of its uniqueness from a biological perspective. I did not think that this was going to be a very warmly embraced set of alternatives.

“

Off-Road Vehicle Use: New construction of major utility corridors will result in increased access to OHV use, thereby, further aggravating soil erosion issues and habitat fragmentation.

Noxious and Invasive Plant Species: The construction of utility corridors encourages the invasion of noxious and invasive plant species along right of ways where vegetation has been cleared. The invasion of noxious and invasive plant species was identified in the Lower San Pedro River Watershed Assessment to be a serious issue. Currently present on the western half of the district are Lehmann lovegrass, fountain grass, buffel grass, and cocklebur. All are easily spread and may be spread with the activities of utility construction.

Diminishment of long term conservation investments:

As of 2008, conservation investments on private land within the San Pedro River Valley total 25,912 acres. These acres include land purchased in order to mitigate for actions taken on southwestern willow flycatcher habitat in other areas.

Air Quality and Traffic Control:

The construction of this utility line will involve the use of multiple pieces of construction machinery needing to travel significant lengths to tower locations for a considerable amount of time. The transportation infrastructure currently located in this small valley is not equipped to handle this traffic or the air quality issues that will result. Pinal County has been designated as a non-attainment county for PM10 particulates and so has recently begun an effort to chip seal the first three miles of the Redington Road leading into the valley from San Manuel. This expensive dust and erosion control measure will not withstand this construction traffic. Water trucks will be required for dust control measures and there are no city wells located in this valley to supply the amount which will be needed.

Cumulative Environmental Impacts of Co-Located Utility Corridors:

The EIS only considered this line. Mr. Siegal and Mr. Garcia have made statements in previous coordination meetings that the likelihood for expansion exists and may even be likely. " That [additional utility lines] would be addressed in cumulative impacts to the degree that.....you acknowledge future needs for other transmission in the same path.....you know there is potential for. So cumulative impact, I have to say is going to be that there will be some new transmission lines built in the future." (Siegal, Coordination Meeting with Redington NRCD April 15, 2010)

**EXHIBIT RED 13 AND 14**

**IX. REQUEST FOR ASSURANCES BY DISTRICT**

**1. Assurances.**

- a. Bonding
- b. Written into Plan of Development

The Segment 3 San Pedro River crossing through the San Pedro River Valley near Oracle will be considered to be a Reclamation Zone 1- Highest Priority Area. This area has high impacts for visual, biological, and land use resources with low potential for the biotic community, particularly soils and vegetation, to substantially rehabilitate itself even with reclamation intervention.

Project Management-Roles and Responsibilities:

- 1) AZ State Land Department advisement and approval for deviations on state land portions, mitigation standards, reclamation, monitoring, and reclamation success standards.

Communication Procedures and Protocols:

- 1) The Compliance Inspection Contractor will maintain regular contact with the conservation district for site visits, notification of project deviations and community updates as to the progression of the project and to provide an opportunity for the reporting of cooperator/resident concerns.
- 2) Local school districts will be notified of increased construction traffic for bus safety.
- 3) The conservation district will receive a copy of the final summary report.

Project Construction & Maintenance:

- 1) Only aerial Construction and Maintenance along the San Pedro River (Segments C276, C201, C44, C450), will be used (Selective Mitigation Measure 13), there shall be no ground disturbance beyond the concrete bases for the towers and anchor wires.
  - a. Reduces the need for heavy equipment mobilization and costs over existing inadequate roads and/or newly disturbed soils;
  - b. Reduces the time, effort and labor costs associated with mobilization and road rehabilitation;
  - c. Water sources for dust abatement are not readily available;

- d. Substantially lower costs for post-construction mitigation and monitoring;
- e. Will not create ease of access for future line sitings;
- f. The Redington and San Pedro River Roads are un-improved rural access roads not engineered to withstand the magnitude of necessary equipment traffic which will be needed for construction. Roads into this valley cross multiple major washes and can be narrow with blind curves creating a safety hazard for local residents and perpetuating erosion issues. Pinal County will have invested a substantial amount of money in 2016 to improve a portion of the road's surface with chip seal to address EPA PM-10 Non-attainment compliance and it is unclear as to what affect construction traffic will have on this new surface.

- 2) Conductor will be strung using helicopters.
- 3) All maintenance to be done using existing roads and/or overland access.
- 4) For co-located routes in segment C450, existing utility roads with current erosion and structural issues will be rehabilitated to a "better" condition than pre-construction which does not increase ease of access, but decreases erosion.
- 5) During periods of construction traffic to tower sites along Redington/San Pedro River Rd., dust abatement will be a priority.
- 6) Grazing lessees will be notified by the AZ State Land Department when the final route has been determined and provided the opportunity to notify the appropriate construction personnel as to current grazing activity, water use, and fencing/gate use. Tower placement near permanent livestock waters will be discouraged and if unavoidable, an alternate water source will be provided by the Proponent during construction and rehabilitation activities.

- 7) Project construction access for additional future facilities will not be made available.

Reclamation Success:

- 1) The Proponent is responsible for temporary enclosure of vegetation rehab in grazing allotments and blocking access to off-road vehicles and will remain responsible for continued reclamation and monitoring of these sites if it is determined that the site has not met success standards. Lessees will be compensated for loss of forage during this rest period.
- 2) Proponent and/or responsible party will meet with the Redington NRCO annually for a period of no less than 10 years post-construction to inspect access roads and restoration work for any additional mitigation measures necessary and repairs of existing work. Furthermore, we would request a bond which would sufficiently cover the costs of such secondary mitigation projects should the Proponent not fulfill this follow up obligation to the resources impacted during construction and due to powerline existence.

- c. Proof of Applicant's financial capacity

**2. Direct advisement capacity from the districts for site rehabilitation for disturbance which is absolutely necessary:**

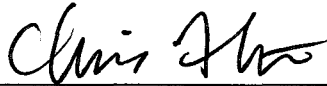
- a. Keep the disturbance above 3400 ft elevation wherever possible to be above the Sonoran Desert, with greater rainfall average.
- b. The top 4-5 inches of soil disturbed to be saved and not disturbed to protect the soil mycorrhiza, locally adapted seeds, bugs, etc for rehab. Any vegetation should be cleared into this soil as well for organic matter.
- c. For any heavy loam to clay soils, bring in 4-6 inches of sandy loam soil for the uppermost layer.
- d. Seed mixes should include – sideoats, black grama, bush muhly, purple threeawn, squirreltail, Arizona Cottontop, green sprangletop, plains bristlegrass etc to be applied in the fall. No less than 8 species. Drilled wherever possible, broadcast where needed at twice the seeding rate of drilled areas.

- e. Straw wattles installed on the contour to minimize any runoff and prevent the erosion. Spacing depends on the % slope.
- f. Install drift fences alongside all existing roads and washes where access roads cross to deter off road vehicle traffic. Structures checked every two weeks for the first two years of operation and timely repair of any damages.
- g. Rapid responsiveness of maintenance crews to notifications about erosion and off-road vehicle abuse for the first two years of rehabilitation.

**EXHIBIT RED 15**

Dated this 13<sup>th</sup> day of October, 2015.

REDINGTON NATURAL RESOURCE CONSERVATION DISTRICT



Chris Fletcher, Supervisor